



## Zoning Administrator

### NOTICE OF DECISION

#### **On PCC-11-068, Temporary Modular Office Building, Quality Towing and Recovery, 270 Trousdale Drive**

Notice is hereby given that the Zoning Administrator has considered conditional use permit PCC-11-068, a request to allow a temporary location for a modular office building for Quality Towing and Recovery located at 270 Trousdale Drive. The site is located within the Limited Industrial (IL) zone district.

Planning staff has reviewed the Project for compliance with the California Environmental Quality Act (CEQA) and has determined that the Project qualifies for a categorical exemption pursuant to Section 15332 of the State CEQA Guidelines. Thus, no further environmental review is necessary.

The Zoning Administrator, under the provisions of Section 19.14.030 A of the Chula Vista Municipal Code (CVMC), has conditionally approved said request based upon the following findings of facts as required by CVMC Section 19 14 080:

- 1. That the proposed use at this location is necessary or desirable and will contribute to the general well being of the neighborhood or the community.**

The temporary modular office building is necessary to assist the company in providing additional office space in order to accommodate the administrative work provided to the customers. The temporary building will be located adjacent to the eastern property line within the parking lot area. A new trash enclosure will also be constructed along the western property line. The existing perimeter fence, gate, and the landscaping on the site will screen the temporary office building and the trash enclosure from public view. Therefore, the proposed use would contribute to the well being of the neighborhood and provide an additional service to the customers.

- 2. That such use will not under the circumstances of the particular case be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.**

The modular office building is temporary until a permanent location is established on the site. The office building will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

3. **That the proposed use will comply with the regulations and conditions specified in the code for such use.**

With the approval of this conditional use permit, the subject property meets all regulations of a temporary use in the IL zone. The conditional approval of PCC-11-068 requires continued compliance with all conditions, codes and regulations, as applicable, for the duration of this entitlement.

4. **That the granting of this Conditional Use Permit will not adversely affect the General Plan of the City or the adopted plan of any government agency.**

The General Plan does not address temporary uses, thus the proposed temporary modular office building, as conditioned, is consistent with the adopted General Plan.

Approval of PCC-11-068 is conditioned upon the following:

- I. **Within 60 days or prior to the issuance of any building permit, the applicant shall satisfy the following requirements:**

1. The property owner and the applicant shall execute this document by making a true copy of this Notice of Decision and signing both this original notice and the copy on the lines provided below, said execution indicating that the property owner and applicant have each read, understood and agreed to the conditions contained herein, and will implement same. Upon execution, the true copy with original signatures shall be returned to the Development Services Department. Failure to return the signed true copy of this document prior to submittal for building permits to the Development Services Department shall indicate the property owner/applicant's desire that the project, and the corresponding application for building permits and/or a business license, be held in abeyance without approval.

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Authorized Representative

\_\_\_\_\_  
Date

*Planning Division Conditions*

2. The Applicant shall obtain approval of a sign permit for each sign by the Development Services Department. Signs shall comply with all applicable requirements of the Municipal Code.

Land Development Division Conditions:

3. The following fees will be required based on the final Building Plans submitted per the Master Fee Schedule:
  - a. Sewer Connection and Capacity Fees
  - b. Traffic Signal Fee
  - c. Public Facilities Development Impact Fees (PFDIF)
  - d. Western Transportation Development Impact Fees (WTDIF)
4. Additional deposits or fees in accordance with the City Subdivision Manual, and Master Fee Schedule will be required for the submittal of the following items:
  - a. Grading Plans
  - b. Construction Permit
5. Prior to the approval of the Building Permit, the Applicant shall submit duplicate copies of all commercial projects in digital format, such as (DXF) graphic file, on a CD or through e-mail based on California State Plane Coordinate System (NAP 83, Zone 6) in accordance with the City's Guidelines for Digital Submittal. DXF files shall include a utility plan showing any and all proposed sewer or storm drain on site.
6. All driveways shall conform to the City of Chula Vista's sight distance requirements in accordance with Section 18.16.220 of the Municipal Code. Also, landscaping, street furniture, or signs shall not obstruct the visibility of driver at the street intersections or driveways.
7. Proposed Fire Access Road shall meet H-20 Loading requirements or shall be designed for a Traffic Index (T.I.) of 5.
8. Clearly show the existing and proposed sanitary sewer lines and how the site will connect to the City's public sewage system on the building permit. No sewer lines will be allowed to be located under existing or proposed buildings. Indicate whether sewer lines are private or public.
9. Clearly show the existing storm drain across the site on the building permit. No storm drain will be allowed to be located under the existing or proposed buildings. Indicate whether the existing storm drain is public or private. Show public easement location and width on the building permit.
10. A Land Development Permit will be required if the Applicant proposes to move over 250 cubic yard of earthwork on the site. The Land Development Permit shall be reviewed and approved by the City Engineer.
11. Developer must obtain a Land Development Permit prior to beginning any earthwork activities at the site and before issuance of Building Permits in accordance with Municipal Code Title 15.05. Developer shall submit Grading Plans in conformance with

the City's Subdivision Manual and the City's Development Storm Water Manual requirements, including, but not limited to the following:

- a. Grading Plans shall be prepared by a registered Civil Engineer and approved by the City Engineer.
  - b. Drainage Study and Geotechnical/Soils Investigations are required with the first submittal of Grading Plans. The Drainage Study shall calculate the Pre-Development and Post-Development flows and show how downstream properties and storm drain facilities are impacted. Design shall incorporate detention of storm water runoff if Post-Development flows exceed Pre-Development flows; analysis shall include flows from 2 yr, 10 yr, and 50 yr return frequency storms.
  - c. Drainage study shall also demonstrate that no property damage will occur during the 100-year storm event.
  - d. All onsite drainage facilities shall be private.
  - e. Any offsite work will require Letters of Permission from the affected property owner(s).
14. The applicant is required to complete the applicable forms (Forms 5500, 5501, 5502, 5503 and 5504) prior to conditional use permit approval.
15. An Improvement Plan in conformance with the City's Subdivision Manual and a Construction Permit will be required prior to issuance of any Building Permits. The Improvement Plan shall include but not be limited to:
- a. Removal and replacement of any broken or damaged curb, gutter, and sidewalk per San Diego Regional Standard Drawings (SDRSD) G-2, and G-7 along the project's frontage to the satisfaction of the City Engineer. Sidewalk shall be designed and constructed with proper transitions to existing conditions.
  - b. Additional asphalt paving for the replacement of the existing curb, gutter and sidewalk.
  - c. Installation of curb, gutter, and sidewalk per SDRSD G-2, and G-7 along the project's frontage. Sidewalk shall be designed and constructed with proper transitions to existing conditions.
  - d. Installation of driveway(s) meeting design standards as shown in Chula Vista standard. Dedication of R/W as needed in order for driveway to comply with American Disability Act (ADA) requirements.
  - e. Installation of a 100-watt City standard street light per CVCS-6, 7, 9, & 11 at the project property line along Trousdale or Press Lane. The City Traffic Engineer shall approve street light location.
  - f. Show how the sewer lateral and storm drain connect to the existing public utilities. The Public Works Operations Section will need to inspect any existing sewer laterals and connections that are to be used by the new development. Upon inspections, laterals and connections may need replacement as a result of this inspection as may be determined necessary by the Public Works staff.

16. All utilities serving the proposed shall be underground pursuant to CVMC Section 15.32.
17. Sewer lateral and storm drain connections to existing public utilities. The Public Works Operations Section will need to inspect any existing sewer laterals and connections that are to be used by the new development.
18. The onsite sewer and storm drain system shall be private. All sewer laterals and storm drains shall be privately maintained from each building unit to the City-maintained public facilities.
19. All proposed sidewalks, walkways, pedestrian ramps, and disabled parking shall be designed to meet the City of Chula Vista Design Standards, ADA Standards, and Title 24 standards, as applicable.
20. Per City of Chula Vista Standard Drawing CVD-ST23, Trousdale Drive and Press Lane is classified as industrial with a half-width right-of-way of 39 feet. The Applicant shall be required to dedicate the necessary right-of-way to meet the 39 feet width from centerline to property line along Trousdale Drive and Press Lane prior to obtaining a Construction Permit for the Street Improvements or a Building Permit for the site. Developer shall submit street dedication documents prepared by a Registered Civil Engineer or licensed Land Surveyor.
21. Prior to the Improvement Plan or Building Permit approval, the Applicant shall grant to the City of Chula Vista a(n) 5.5-foot Landscape Buffer Area Easement along Trousdale Avenue and Press Lane, per Chula Vista Design Standards CVD-ST23 for Trousdale Avenue and Press Lane.
22. Any private facilities (if applicable) within Public right-of-way or City easement will require an Encroachment Permit prior to Improvement Plan or Building Permit approval.
23. All utilities serving the subject property and existing utilities located within or adjacent to the subject property shall be undergrounded in accordance with the Chula Vista Municipal Code Section. Further, all new utilities serving the subject property shall be undergrounded prior to the issuance of Building Permits.

**Fire Department Conditions:**

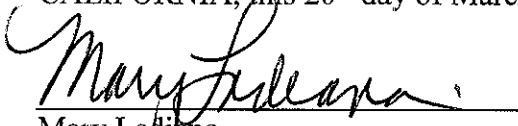
24. This project will require a fire flow of 1,500 gallons per minute for a 2-hour duration (at 20psi).
25. The Applicant shall provide a fire hydrant on the site as determined by the Fire Department located not greater than 300 feet apart. An additional fire hydrant may be required in the lot.
26. The Applicant shall provide a diagram of the storage area prior to Building Permit approval.
27. The Applicant shall show fire lane signs on the access road prior to Building Permit approval. The Fire Department turn around may need to be extended to accommodate access to the storage area.

28. Automatic gates shall be provided with both an Opticom Detection System and a Knox Key Switch override. Provisions shall be taken to operate the gate upon the loss of power.
  29. The building(s) shall be addressed in accordance with the following criteria:
    - 0 – 50 ft. from the building to the face of the curb = 6-inches in height with a 1-inch stroke
    - 51 – 150 ft. from the building to the face of the curb = 10-inches in height with a 1 ½ -inch stroke
    - 151 ft. from the building to the face of the curb = 16-inches in height with a 2-inch stroke
  30. The Applicant shall provide one fire extinguisher in the office. Other fire extinguishers shall be placed in cabinets around the property when a diagram of the storage area is submitted.
- II. The following on-going conditions shall apply to the subject property as long as it relies upon this approval.
1. The Applicant shall maintain the Project in accordance with the plans for PCC-11-068, date stamped on January 12, 2012, which includes a site plan and architectural elevations on file in the Planning Division, the conditions contained herein, and Title 19.
  2. Approval of this request shall not waive compliance with all sections of Title 19 of the Municipal Code, and all other applicable City Ordinances in effect at the time of building permit issuance or the approval of this conditional use permit.
  3. Any violation of the conditions listed herein shall be sufficient grounds for the Zoning Administrator to revoke the Conditional Use Permit.
  4. The temporary permit shall expire in two (2) years after the date of its approval by the Zoning Administrator. Prior to the expiration of this conditional use permit, the applicant may request an extension from the Zoning Administrator for a period not to exceed one (1) year. The Zoning Administrator shall review this conditional use permit for compliance with the conditions of approval, and shall determine, in consultation with the applicant, whether the project shall be modified from its original approval. No more than one (1) extension shall be granted for the temporary land use.
  5. The Applicant/Representative and Property Owner shall and does hereby agree to indemnify, protect, defend and hold harmless City, its City Council members, officers, employees and representatives, from and against any and all liabilities, losses, damages, demands, claims and costs, including court costs and attorney's fees (collectively, liabilities) incurred by the City arising, directly or indirectly, from (a) City's approval and issuance of this Conditional Use Permit, (b) City's approval or issuance of any other permit or action, whether discretionary or non-discretionary, in connection with the use contemplated herein, and Applicant/operator shall acknowledge their agreement to this provision by executing a copy of this Conditional Use Permit where indicated below. The Applicant/Representative and Property Owner's compliance with this provision is an

express condition of this Conditional Use Permit and shall be binding on any and all of Applicant/Operator's successors and assigns.

6. Any violations of the terms and conditions of this permit may result in the imposition of civil or criminal penalties and/or the revocation or modification of this permit.
7. If any of the foregoing conditions fail to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City shall have the right to revoke or modify all approvals herein granted, deny, or further condition issuance of all future building permits, deny, revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted, institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation. Applicant or a successor in interest gains no vested rights by the City's approval of this Conditional Use Permit.

APPROVED BY ZONING ADMINISTRATOR OF THE CITY OF CHULA VISTA,  
CALIFORNIA, this 20<sup>th</sup> day of March 2012.

  
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Mary Ladiana  
Zoning Administrator